

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MERRYL OSDOBY, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

HANDI-FOIL CORP.,

Defendant.

Case No. 2:22-cv-04199-NG-JMW

**ECF Case**

**DECLARATION OF MICHAEL A. GLICK**

I, Michael A. Glick, declare:

1. I am an attorney at the law firm of Kirkland & Ellis LLP, and am admitted to practice before this Court. I am counsel for Handi-Foil Corp. (“Handi-Foil”) in this case.

2. Handi-Foil is serving today its Motion for Summary Judgment and Motion to Exclude Plaintiff’s Expert Donald May.

3. For ease of reference, Handi-Foil has prepared a unified set of exhibits reflecting all exhibits cited in its memoranda of law in support of those Motions as well as Handi-Foil’s Local Civil Rule 56.1 Statement of Material Facts in Support of its Motion for Summary Judgment.

4. True and correct copies of those exhibits are attached hereto:

Ex.		Description
Excerpts of Deposition Testimony		
Ex. 1		Deposition of David Sarnoff (May 24, 2023)
Ex. 2		Deposition of Raj Patel (May 25, 2023)
Ex. 3		Deposition of Steven W. Ping (Oct. 5, 2023)
Ex. 4		Deposition of Meryll Osdoby (June 7, 2023)
Ex. 5		Deposition of Donald M. May (Sept. 9, 2023)

Ex.	Description
<b>Written Discovery Responses</b>	
Ex. 6	Handi-Foil's Responses to Plaintiff's First Set of Interrogatories
Ex. 7	Handi-Foil's First Amended Responses to Plaintiff's First Set of Interrogatories
Ex. 8	Handi-Foil's Second Amended Responses to Plaintiff's First Set of Interrogatories
Ex. 9	Plaintiff's Responses to Handi-Foil's First Set of Interrogatories
Ex. 10	Plaintiff's Amended Responses to Handi-Foil's First Set of Interrogatories
Ex. 11	Plaintiff's Amended Response to Handi-Foil's Interrogatory No. 21
Ex. 12	Plaintiff's Responses to Handi-Foil's Fourth Set of Interrogatories
<b>Expert Report</b>	
Ex. 13	Report of Handi-Foil's Expert Steven W. Ping
Ex. 14	Report of Plaintiff's Expert Donald M. May
<b>Produced Documents</b>	
Ex. 15	Photos of Handi-Foil Manufacturing Process
Ex. 16	Photos of Handi-Foil Products with Labels
Ex. 17	Photos of Gränges Americas Inc. Manufacturing Process
Ex. 18	Excerpts of Handi-Foil Presentation to Aldi (HANDIFOIL_00004661)
Ex. 19	Excerpts of Handi-Foil Presentation to Stop & Shop (HANDIFOIL_00004609)
Ex. 20	Invoice from Novelis Corp. & HFA Bill of Materials (HANDIFOIL_00005570)
Ex. 21	Invoice from Gränges Americas Inc. & HFA Bill of Materials (HANDIFOIL_00005515)
Ex. 22	Excerpts of Handi-Foil Capital Expenditure Approval (HANDIFOIL_00012950)
Ex. 23	Invoice from Tool & Die Inc. for HFA Die (HANDIFOIL_00012982)
Ex. 24	Handi-Foil Affiliates' Container Metal Purchase History & Handi-Foil Corp. Retail Container Sales (HANDIFOIL_00005521)
Ex. 25	Handi-Foil Affiliates' Imported Container Metal Purchase & Use History (HANDIFOIL_00025519)
Ex. 26	██████████ as printed by Plaintiff's counsel (PLTF-0001-107)
Ex. 27	Handi-Foil Roll Foil Labels
<b>Third-Party Correspondence</b>	
Ex. 28	Ltr. from Christina Hull (Sept. 8, 2023)
Ex. 29	Ltr. from Michael C. Falk attaching Plaintiff's Wakefern Food Corp. Purchase History (Wakefern_00001-03) (July 10, 2023)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 18th day of January, 2024 in Washington, District of Columbia.

/s/ Michael A. Glick  
Michael A. Glick

**CERTIFICATE OF SERVICE**

I hereby certify that on January 18, 2024, I served the aforementioned document on counsel for Plaintiff pursuant to Paragraph 3(C) of the Court's Individual Motion Practices.

/s/ Michael A. Glick

Michael A. Glick